

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6549

BILL NUMBER: SB 178

NOTE PREPARED: Jan 14, 2010

BILL AMENDED: Jan 14, 2010

SUBJECT: Custody and Parenting Time Matters.

FIRST AUTHOR: Sen. Steele

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: No Fiscal Impact

Summary of Legislation: (Amended) This bill provides that if a paternity affidavit is executed, the mother and the man who is identified as the father share joint legal custody of the child, the mother has primary physical custody of the child, and the man who is identified as the father has parenting time in accordance with the parenting time guidelines unless another determination is made by a court. (Current law provides that a mother has sole custody unless another custody determination is made by a court.)

The bill also provides that a noncustodial parent is entitled to reasonable parenting time rights unless a court finds by clear and convincing evidence that parenting time might endanger the child's physical health or significantly impair the child's emotional development. (This changes the standard of proof under the current law.) The bill also provides that a paternity affidavit executed through a hospital may be completed not more than ten days after the child's birth if a parent is out of the country.

Effective Date: July 1, 2010.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Bill Brumbach, 232-9559.